

Acting Chairperson: Supervisor Willie Johnson, Jr.
Clerk: Linda Durham, 278-4225
Research Analyst: Rick Ceschin, 278-5003

COMMITTEE ON JUDICIARY, SAFETY AND GENERAL SERVICES

Thursday, March 30, 2006 - 9:30 A.M.

Milwaukee County Courthouse - Room 201-B

MINUTES

TAPE No. 15: Side A, #006 to #647

PRESENT: Supervisors Rice, DeBruin, Schmitt, Cesarz, Broderick, Devine and Johnson (Chair)

SCHEDULED ITEMS:

1. 06-169 From County Executive, appointing Rebecca Blemberg to serve on the Milwaukee County Ethics Board for a term expiring February 28, 2012. Ms. Blemberg is replacing John Carter whose term expires on February 28, 2006. (Tape #15A-#23)

APPEARANCES:

Fran Rudig, County Executive's Office
Rebecca Blemberg

MOTION BY: (DE BRUIN) Approve.

Questions and comments ensued.

Vote on the motion to approve: 7-0

AYES: Rice, DeBruin, Schmitt, Cesarz, Broderick, Devine and Johnson (Chair) – 7
NOES: 0

2. 06-123 Ordinance by Supervisor Mayo, to amend Chapter 9.07 of the General Ordinances of Milwaukee County, relating to the terms of service for appointments to the Milwaukee County Ethics Board. (Laid over 2/23/06) (Tape #15A-89)

APPEARANCE:

Supervisor Michael Mayo, Sr., 7th District

Supervisor Mayo provided comments relative to the subject ordinance.

SCHEDULED ITEMS (CONTINUED):

MOTION BY: (RICE) Refer to Corporation Counsel, Ethics Board and County Board staff with a report back in June.

Questions and comments ensued.

Vote on the motion to refer: 7-0

AYES: Rice, DeBruin, Schmitt, Cesarz, Broderick, Devine and Johnson (Chair) - 7
NOES: 0

3. 06-173 Ordinance by Supervisor White, to amend Chapter 9.07 of the General Ordinances of Milwaukee County, relating to the Milwaukee County Ethics Board.
(Tape #15A-#207)

MOTION BY: (DE BRUIN) Refer items 3 and 4 to Corporation Counsel, the Ethics Board and County Board staff with a report back in the June cycle. (Vote: 7-0)

AYES: Rice, DeBruin, Schmitt, Cesarz, Broderick, Devine and Johnson (Chair) - 7
NOES: 0

4. 06-190 Resolution by Supervisor Devine to amend Chapter 9 and Chapter 33 of the General Ordinances of Milwaukee County, relating to the processes of the Milwaukee County Ethics Board.

SEE ACTION UNDER ITEM 3.

5. 06-170 From Clerk of Circuit Court/Director of Court Services, requesting authorization to accept credit or debit cards for required payments to the Clerk of Circuit Court and to collect a 3% fee under the provisions of the 2005 Wisconsin Act 59. **(Also to Committee on Finance and Audit)** (Tape #15A-224)

APPEARANCE:

John Barrett, Clerk of Circuit Court/Director of Court Services

Mr. Barrett reviewed the subject request.

MOTION BY: (BRODERICK) Approve.

Questions and comments ensued.

Committee members requested that Mr. Barrett provide County Board members with information regarding the sliding scale and the process that will be used in the first scale to determine ability to pay, before County Board Day (April 13, 2006).

SCHEDULED ITEMS (CONTINUED):

MOTION BY: (SCHMITT) Amend the resolution by adding the words “not to exceed” before “a 3% fee” in the first BE IT FURTHER RESOLVED clause (line 39) and to the Fiscal information (line 50). (Vote 7-0)

AYES: Rice, DeBruin, Schmitt, Cesarz, Broderick, Devine, Johnson (Chair) - 7
NOES: 0

MOTION BY: (BRODERICK) Approve the resolution as amended. (Vote 7-0)

AYES: Rice, DeBruin, Schmitt, Cesarz, Broderick, Devine, Johnson (Chair) - 7
NOES: 0

6. 06-189 From Inspector, Milwaukee County Sheriff’s Office, requesting authorization to approve a contract with Motorola as the sole source vendor for the purchase of software to operate the radio 800 MHZ trunked system. **(Also to Committee on Finance and Audit)** (Tape #15A-#353)

APPEARANCES:

Inspector Kevin Carr, Sheriff’s Department
Deputy Inspector Jerianne Feiten

Inspector Carr reviewed the subject request.

MOTION BY: (DEVINE) Approve.

Questions and comments ensued.

Vote on the motion to approve: 7-0

AYES: Rice, DeBruin, Schmitt, Cesarz, Broderick, Devine, Johnson (Chair) - 7
NOES: 0

7. 05-J-20 From the Sheriff, update on Milwaukee County as the Public Safety Answering Point (PSAP) for cellular 911 calls. **(INFORMATIONAL, UNLESS OTHERWISE DIRECTED BY THE COMMITTEE)** (Tape #15A-#396)

APPEARANCE:

Deputy Inspector Jerianne Feiten

Deputy Inspector Feiten reviewed the subject report.

Questions and comments ensued.

The Committee took no action on this informational report.

SCHEDULED ITEMS (CONTINUED):

8. 06-217 From Superintendent, House of Correction, requesting authorization to submit a federal grant application to the Department of Education and accept grant funds if awarded. (Tape #15A-#431)

APPEARANCES:

Superintendent Ron Malone, House of Correction
Jan Brylow, Programs Manager, House of Correction

Superintendent Malone reviewed the subject request.

Questions ensued as to the extent of life skills education.

MOTION BY: (RICE) Approve. (Vote 7-0)

AYES: Rice, DeBruin, Schmitt, Cesarz, Broderick, Devine, Johnson (Chair) - 7

NOES: 0

9. 06-J-4 From Superintendent, House of Correction, update report on the House of Correction Print Shop. **(INFORMATIONAL ONLY, UNLESS OTHERWISE DIRECTED BY THE COMMITTEE)** (#15A-#466)

APPEARANCES:

Superintendent Ron Malone, House of Correction
Jan Brylow, Programs Manager, House of Correction
Supervisor Marina Dimitrijevic, 4th District

Superintendent Malone reviewed the subject report.

Questions and comments ensued.

Committee members indicated that they would like to see included in future reports, monitoring information relative to the amount of successes on the human level.

Supervisor DeBruin encouraged a friendly reminder from House of Correction staff at the end of the year informing departments that the print shop is available for their use.

Concern was expressed as to documentation for inmates indicating they have experience working in a print shop and the type of equipment they worked on so they can take this information to future employers. Certificates for the inmates were suggested.

The Committee took no action on this informational report.

SCHEDULED ITEMS (CONTINUED):

The Committee may adjourn into closed session under the provisions of Wisconsin Statutes, Section 19.85(1)(g), for the purpose of the Committee receiving oral or written advice from legal counsel concerning strategy to be adopted with respect to pending or possible litigation with regard to the following matter(s). At the conclusion of the closed session, the Committee may reconvene in open session to take whatever actions it may deem necessary:

CORPORATION COUNSEL RECOMMENDS PAYMENT/SETTLEMENT OF THE FOLLOWING CLAIMS/LITIGATION *(Note: Section 56.08 of the Milwaukee County General Ordinances authorizes the Judiciary Committee to settle all claims when the amount does not exceed \$5,000.00, and the action of the Committee is final and no further County Board action is required.):*

10. 06-97 From Ingrid Wiley, submitting a claim for damages to her vehicle allegedly caused when struck by a County snowplow on January 20, 2006. **(Corporation Counsel recommends payment in an amount not to exceed \$3,000 in full settlement of this claim.)** (Tape #15A-#605)

APPEARANCE:

Bob Andrews, Deputy Corporation Counsel

MOTION BY: (SCHMITT) Approve items 10-15 together. (Vote 7-0)

AYES: Rice, DeBruin, Schmitt, Cesarz, Broderick, Devine, Johnson (Chair) - 7

NOES: 0

11. 06-129 From Country Insurance and Financial Services in behalf of Steven and Gayle Metcalf, submitting a claim for damages to a vehicle allegedly caused when struck by a County snow plow on December 8, 2005. **(Corporation Counsel recommends payment in the amount of \$2,451.45 in full settlement of this claim.)**

SEE ACTION UNDER ITEM 10.

12. 06-157 From **Mark Drews**, submitting a claim for damages allegedly sustained to his automobile that was involved in an accident with a Milwaukee County Truck at Grant Park on January 21, 2006. **(Corporation Counsel recommends payment in the amount of \$2,350.48 in full settlement of this claim.)**

SEE ACTION UNDER ITEM 10.

SCHEDULED ITEMS (CONTINUED):

13. 06-158 From **Mai Mae Thao**, submitting a claim for damages allegedly sustained to her automobile when concrete fell onto it from Grange bridge where County work was being done on December 21, 2005. **(Corporation Counsel recommends payment in an amount not to exceed \$1,500 in full settlement of this claim.)**

SEE ACTION UNDER ITEM 10.

14. 06-160 From **Truvoy Sampson**, submitting a claim for the damages allegedly sustained to his mother's vehicle when it was involved in an accident with a Milwaukee County truck on December 4, 2005. **(Corporation Counsel recommends payment in the amount of \$1,445.98 in full settlement of this claim)**

SEE ACTION UNDER ITEM 10.

15. 04-40 From Rob Swenski, submitting a claim for damages allegedly sustained to his automobile when involved in an accident with a Milwaukee County-owned vehicle. **(Corporation Counsel recommends payment in the amount of \$1,129.96 as settlement for all claims arising out of this incident.)**

SEE ACTION UNDER ITEM 10.

The Committee may adjourn into closed session under the provisions of Wisconsin Statutes, Section 19.85(1)(g), for the purpose of the Committee receiving oral or written advice from legal counsel concerning strategy to be adopted with respect to pending or possible litigation with regard to the following matter(s). At the conclusion of the closed session, the Committee may reconvene in open session to take whatever actions it may deem necessary:

*****CLOSED SESSION*****

16. 06-196 From Corporation Counsel, regarding the appeal of the decision of the Seventh Circuit Court of Appeals in the Labor Peace Ordinance lawsuit, requesting approval for payment of \$135,000 in full settlement to Milwaukee Association of Commerce and the law firm of Michael Best & Friedrich, LLP. (Tape #15A-#641)

APPEARANCE:

Bill Domina, Corporation Counsel

Bob Andrews, Deputy Corporation Counsel

SCHEDULED ITEMS (CONTINUED):

MOTION BY: (RICE) Adjourn into closed session under the provisions of Wisconsin Statutes, Section 19.85(1)(g), for the purpose of the Committee receiving oral or written advice from legal counsel concerning strategy to be adopted with respect to pending or possible litigation with regard to items 16-23. At the conclusion of the closed session, the Committee may reconvene in open session to take whatever actions it may deem necessary.

AYES: Rice, DeBruin, Schmitt, Cesarz, Broderick, Devine, Johnson (Chair) - 7
NOES: 0

The Committee adjourned into closed session at approximately 10:25 a.m. and reconvened in open session at approximately 11:45 a.m. with the same Committee members present as before.

MOTION BY: (RICE) Approve items 16, 17 and 18 on the terms recommended by Corporation Counsel. (Vote 7-0)

AYES: Rice, DeBruin, Schmitt, Cesarz, Broderick, Devine, Johnson (Chair) - 7
NOES: 0

17. 06-204 From Barbara Talbert, submitting a claim against the County alleging discrimination based on sex. **(Counsel for the County recommends payment of \$9,300 to claimant's attorney in full settlement of this claim.)**

SEE ACTION UNDER ITEM 16.

18. 06-128 From Great Northwest Insurance Company, under their subrogation rights of their insured: Mary Payne, for payment due to the alleged loss by their insured occurring on November 9, 2005.

SEE ACTION UNDER ITEM 16.

19. 06-J-5 From Corporation Counsel, report on status for contracts issued through the Office of Corporation Counsel under MCGO 56.30 (10).

The Committee took no action on this item.

20. 06-J-6 From Corporation Counsel, status report on Champine sick allowance lawsuit.

The Committee took no action on this item.

21. 06-J-7 From Corporation Counsel, status report on Builda II lawsuit.

The Committee took no action on this item.

SCHEDULED ITEMS (CONTINUED):

22. 06-J-8 From Corporation Counsel, status report as to potential claims from the demolition of the Courthouse Annex. **(Also to Committee on Finance and Audit)**

The Committee took no action on this item.

23. 05-J-13 From Corporation Counsel, status report on the potential litigation that the County may have against those firms who furnished professional services to the County at the time the pension benefits were enhanced.

The Committee took no action on this item.

STAFF PRESENT: Rick Ceschin, Research Analyst, County Board
John Barrett, Clerk of Circuit Court/Director of Court Services
Bill Domina, Corporation Counsel
Bob Andrews, Deputy Corporation Counsel
Inspector Kevin Carr, Sheriff's Office
Deputy Inspector Jerianne Feiten
Superintendent Ron Malone, House of Correction
Jan Brylow, Programs Manager, House of Correction

This meeting was recorded on tape, which is available for audit upon prior request of the Committee Clerk. The foregoing matters were not necessarily considered in agenda order. Committee "green files" contain copies of resolutions, amendments, ordinances, reports and correspondence, etc., which may be reviewed upon request of the Committee Clerk. The official copy of these minutes is available in the County Board office.

Adjourned: 11:47 a.m.

Linda K. Durham

Linda K. Durham, Committee Clerk